

DATE: 4/17/2013 CASE NUMBER: 13-10092M-TUC-(DTF)

USA vs. Dane Rossman

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☐ RELEASED ☒ CUSTODY

U.S. MAGISTRATE JUDGE: D. THOMAS FERRARO Judge #: 70BU

U.S. Attorney Ryan P. DeJoe INTERPRETER REQ'D N/A

Attorney for Defendant Ryan Moore ☐ Appt ☐ Ret ☒ FPD ☐ Spec Appr

MATTER COMES BEFORE THIS COURT FOR AN EXTRADITION HEARING.

Government states there is probable cause to believe this Defendant did commit the crimes and is the individual being sought by Canada.

Government states Exhibits A, B, C, D and F incorporated with Peter Trimble Affidavit are all certifying documents.

Government's Witness Deputy United States Marshal Patrick Conover is sworn and examined.

Government makes closing arguments.

Defense counsel argues extradition should be denied due to failure to comply with Treaty's authentication requirements, lack of dual criminality, insufficient proof of identity and lack of probable cause.

The Court finds that: The undersigned judicial officer is authorized under Title 18, USC Section 3184 to conduct an extradition hearing. The Court has personal jurisdiction over the fugitive Dane Edward Rossman and subject matter jurisdiction over the case. There is currently in force an extradition treaty between the Government of the United States and the Government of Canada.

The Court finds the Government has established legally that Defendant can be extradited for mischief and mischief endangering life, but the Court finds the disguise with the intent to commit an indictable offense is not extraditable.

The charges for mischief and mischief endangering life are encompassed by Article 2 of the extradition treaty because they are punishable under the laws of the United States and Canada by a term of imprisonment which exceed one year.

Canada seeks the extradition of Dane Edward Rossman so that he appear for these offenses.

The Court states Exhibits A, B, C, D, F incorporated with Peter Trimble Affidavit were certified by Sylvia D. Johnson, Counsel General.

Defense counsel claims only Exhibits A and B are certified.

Nevertheless, The Court finds there is probable cause in Exhibits A and B in which defense counsel claims are certified and considered by this Court.

The Court finds probable cause to believe that Dane Edward Rossman, the fugitive and the same person which is here before this Court committed the offenses for which his extradition is sought.

Certification of Extradition and Order of Commitment is submitted and signed in Court.

Recorded by Courtsmart
BY: Rose Chavez
Deputy Clerk

Extradition Hrg: 50 Min

Start time: 11:02
Stop time: 11:54